

**COMMONWEALTH OF KENTUCKY  
NATURAL RESOURCES & ENVIRONMENTAL PROTECTION CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
DIVISION OF WATER**

NOV 16 2000

**APPLICATION FOR PERMIT TO CONSTRUCT ACROSS OR ALONG A STREAM  
AND / OR WATER QUALITY CERTIFICATION**

Chapter 151 of the Kentucky Revised Statutes requires approval from the Division of Water prior to any construction or other activity in or along a stream that could in any way obstruct flood flows or adversely impact water quality. *If the project involves work in a stream, such as bank stabilization, dredging or relocation, you will also need to obtain a 401 Water Quality Certification (WQC) from the Division of Water.* This completed form will be forwarded to the Water Quality Branch for WQC processing. The project may not start until all necessary approvals are received from the KDOW. For questions concerning the WQC process, contact the WQC section at 502/564-3410.

If the project will disturb more than 1 acre of soil, you will also need to complete the attached Notice of Intent for Storm Water Discharges, and return both forms to the Floodplain management Section of the KDOW. This general permit will require you to create an implement an erosion control plan for the project.

1. **OWNER:** Benjy Kinman, Kentucky Department of Fish and Wildlife Resources 19998A  
Give name of person(s), company, governmental unit, or other owner of proposed project.

**MAILING ADDRESS** 1 Sportsman Lane Frankfort, KY 40601

**TELEPHONE #:** 502-564-7109 **EMAIL:** Benjy.kinman@ky.gov

2. **AGENT:** Travis Brown, Staff Ecologist, Eco-Tech Consultants, Inc.  
Give name of person(s) submitting application, if other than owner.

**ADDRESS:** 100 West Court Ave, Suite 102; Jeffersonville, IN 47130

**TELEPHONE #:** 812-280-2200 **EMAIL:** tbrown@ecotechinc.com

3. **ENGINEER:** N/A **P.E. NUMBER:** N/A  
Contact Division of Water if waiver can be granted.

**TELEPHONE #:** N/A **EMAIL:** N/A

4. **DESCRIPTION OF CONSTRUCTION**  
Describe the type and purpose of construction and describe stream impact  
This is a stream restoration project in a city park and adjacent properties. Construction will involve the placement of in-stream structures such as rock weirs, J-hook, and parabolic rock structures, Berms will be added adjacent to the stream within the 100 year floodplain in order to stabilize some of these structures. In portions of the project area, eroded banks will be graded to produce a more stable bankfull bench type of cross-section. See also supporting documents.

5. **COUNTY:** Franklin **NEAREST COMMUNITY:** Frankfort

6. **USGS QUAD NAME:** Frankfort East **LATITUDE/LONGITUDE:** 38.218417/-84.848343

7. **STREAM NAME:** Penitentiary Branch **WATERSHED SIZE (in acres):** 2163

8. **LINEAR FEET OF STREAM IMPACTED:** 7203

9. **DIRECTIONS TO SITE:**  
The Cove Spring stream restoration site is located approximately two miles north of downtown of Frankfort, KY. The portion of Penitentiary Branch involved in the restoration is located on both sides of US 127 at its intersection with US 421 within the Frankfort city limits. See also supporting documents.

10. IS ANY PORTION OF THE REQUESTED PROJECT NOW COMPLETE? ☐ Yes ☒ No If yes, identify the completed portion on the drawings you submit and indicate the date activity was completed. DATE:
11. ESTIMATED BEGIN CONSTRUCTION DATE: November 2010
12. ESTIMATED END CONSTRUCTION DATE: February 2011
13. HAS A PERMIT BEEN RECEIVED FROM THE US ARMY, CORPS of ENGINEERS? ☐ Yes ☒ No If yes, attach a copy of that permit.

14. THE APPLICANT **MUST** ADDRESS PUBLIC NOTICE:

(a) PUBLIC NOTICE HAS BEEN GIVEN FOR THIS PROPOSAL BY THE FOLLOWING MEANS:

X Public notice in newspaper having greatest circulation in area (provide newspaper clipping or affidavit)  
Adjacent property owner(s) affidavits (Contact Division of Water for requirements.)

(b) I REQUEST WAIVER OF PUBLIC NOTICE BECAUSE:

\_\_\_\_\_  
Contact Division of Water for requirements.

15. I HAVE CONTACTED THE FOLLOWING CITY OR COUNTY OFFICIALS CONCERNING THIS PROJECT:

Project is being coordinated with the city of Frankfort, as it occurs in a city park  
Give name and title of person(s) contacted and provide copy of any approval city or county may have issued.

16. LIST OF ATTACHMENTS: USACE Mitigation Plan (includes 7.5 minute USGS topographic map)  
List plans, profiles, or other drawings and data submitted. Attach a copy of a 7.5 minute USGS topographic map clearly showing the project location.

17. I, Benji Kinnman (owner) CERTIFY THAT THE OWNER OWNS OR HAS EASEMENT RIGHTS ON ALL PROPERTY ON WHICH THIS PROJECT WILL BE LOCATED OR ON WHICH RELATED CONSTRUCTION WILL OCCUR (for dams, this includes the area that would be impounded during the design flood).

18. REMARKS:

I hereby request approval for construction across or along a stream as described in this application and any accompanying documents.  
To the best of my knowledge, all the information provided is true and correct.

**Legal Notice**

Notice is hereby given that the city of Frankfort and Kentucky Department of Fish and Wildlife Resources will be enhancing stream and wetland habitat within Cove Spring Park and adjacent properties. Construction will occur from November 2009 thru March 2010. The work includes enhancement of roughly one mile of Penitentiary Branch, tributaries, and wetlands. Construction equipment will be used within the project area to reshape stream banks and install stream habitat enhancement structures. Any questions should be directed to: Kentucky Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, KY 40601, (502) 564-7109  
09/10,11,13/09

SIGNATURE: Benji Kinnman

DATE: 6/15/09

SIGNATURE OF LOCAL FLOODPLAIN COORDINATOR:

Gary Webb

Permit application will be returned to applicant if not properly endorsed by the local floodplain coordinator.

DATE: 11-13-09

SUBMIT APPLICATION AND ATTACHMENTS TO:

Floodplain Management Section  
Division of Water  
14 Reilly Road  
Frankfort, KY 40601